

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

AVERY M. RIGGSBEE,)	
)	
Plaintiff,)	
)	
v.)	1:14CV563
)	
UNITED STATES OF AMERICA,)	
et al.,)	
)	
Defendant(s) .)	

ORDER

On August 1, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4 and 5.) Plaintiff timely filed objections on August 13, 2014 (Doc. 7) to the Recommendation. However, on September 24, 2014 and January 2, 2015, Plaintiff filed untimely objections (Docs. 6 and 8) to the Recommendation. See Fed. R. Civ. P. 72(b)(2) ("Within 14 days after being served with a copy of the recommended disposition, a party may serve and file . . . objections.").

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's complaint (Doc. 2) be, and is hereby, **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) for failing to state a claim upon which relief may be granted. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 6th day of January, 2015.

William L. Ostrow, Jr.

United States District Judge